

STATE OF MICHIGAN RECORDS MANAGEMENT MANUAL

I. INTRODUCTION

This manual has been prepared for employees of the State of Michigan. It is designed to provide basic information about public records and the records management responsibilities that each state employee has.

RECORDS AND FORMS MANAGEMENT DIVISION

The State of Michigan's centralized records management program was initially created in 1951 in response to problems caused by inconsistent and inefficient records retention practices. The program currently operates under Public Act 504 of 1988 (the Management and Budget Act). The purpose of the records management program is to instruct Executive Branch agencies about the management their records; in order to provide for the administrative, fiscal, legal and historical needs of government and to protect the rights and safety of Michigan's citizens.

The responsibilities of the Records and Forms Management Division include:

- the establishment of procedures, standards and techniques for records management activities;
- the operation of a records center to house inactive records;
- the development and approval of Retention and Disposal Schedules;
- providing training to state employees about all aspects of records management;
- providing centralized microfilming services; and
- administering a centralized forms management program.

Questions about the state's records management program, microfilming services and records storage services may be addressed to:

Records and Forms Management Division
Department of Management and Budget
P.O. Box 30026
3405 N. Martin Luther King Blvd.
Lansing, Michigan 48909
(517) 335-9132
(517) 335-9418 (fax)
<http://www.state.mi.us/dmb/mgmtserv/oss/rfmd/>

II. WHAT IS A PUBLIC RECORD?

A. DEFINITION

A “*public record*” is “a record created or possessed by an agency pursuant to law or under color of law in connection with an activity relating to or affecting the transaction of the agency’s business, and that is created or maintained by the agency as evidence of the agency’s organization, function, policy, decisions, operation, or activity, or because of the record’s informational value.” This definition does not include records that are loaned to an agency.

B. THE VALUE OF PUBLIC RECORDS

Public records have many forms and formats. Records can be letters, memos, reports, maps, photographs, microfilm, e-mail messages, word processed documents, and databases, etc. Public records are often created for one specific purpose, and then are used for a variety of other reasons. This use reflects the value that the record has to its creator, and others who seek information contained in the record. Public records need to be retained as long as they have value, and should be destroyed when their value ceases to exist. Retention and Disposal Schedules, developed by the Records and Forms Management Division, identify how long records must be retained by the office of creation because of their operational, fiscal and legal values, and they identify if/when the records can be transferred to the State Archives of Michigan because of their historical/archival value. Each of these values is defined below:

- *Operational value* is the first and primary value of all records. It exists at the time of creation, and lasts until the creator and primary users cease to actively use the record. All other values are secondary to this value.
- *Fiscal value* exists as long as the record documents any unsettled financial transaction. These records include receipts, statistics, etc. Fiscal value usually extends until an audit of the transaction takes place.
- *Legal value* exists as long as the record is discoverable in a court of law. Some records have retention periods that are established by law; other records document an activity that is subject to litigation. It is important to recognize that some records are disposed of routinely, according to a retention and disposal schedule so the office of creation cannot be held liable for the contents of the record. However, no records may be destroyed when legal action is taking place. Penalties for inappropriately destroying a record (obstruction of justice) are severe.
- *Historical/Archival value* exists when records document significant government activities, or when they contain information about Michigan’s population that warrants their permanent preservation.

As referenced above, the legal definition of a public record is quite broad. Almost all records that state employees work with are considered public records. Despite the fact that state employees may store records in a file cabinet in their cubicle, or on the computer at their desk, these records are in no sense the personal property of an individual state employee. Personal records are related to one’s own employment, benefits, insurance, or finances. Personal records

should not be stored with public records, and generally should not be kept in the office.

C. NONRECORDS

Not all recorded information is considered to be a record. Some information fits the definition of a “nonrecord.” In accordance with “General Schedule #1--Nonrecords” that was approved by the State Administrative Board on December 15, 1998, nonrecords may be destroyed “as soon as they have served their intended purpose.” Generally speaking, examples of nonrecords include phone messages, extra copies of documents or duplicates, drafts, “for your information” courtesy copies, routing slips, notices about community events, etc., and catalogs or other publications received from outside sources that are not essential to the operation of the agency.

III. RETENTION AND DISPOSAL SCHEDULES

A. PURPOSE AND SIGNIFICANCE

Each day state government agencies create, receive, transmit and store huge volumes of letters, e-mail messages, computer printouts, contracts, databases, receipts, vouchers and countless other records. The information contained in these records must be properly managed so that it is preserved and readily available for reference when it is needed. It is also important that these records are disposed of at the appropriate time, and in a systematic manner, so they do not waste space or become a liability to the agency.

Records analysts employed by the Records and Forms Management Division develop the Retention and Disposal Schedules that are comprehensive inventories of all public records, regardless of their physical format. Schedules define how long each record should be retained, and they explain how a record's retention period is divided between the creating office and the State Records Center, if applicable. The State Records Center provides off-site storage for many records that are not actively used by the creating agency. Retention and Disposal Schedules also indicate which records have archival value, and when those records should be transferred to the State Archives of Michigan.

According to Michigan law, no public records may be destroyed without the authorization of an approved Retention and Disposal Schedule. This law exists to prevent the destruction of public information as the result of the opinion of a single state employee. Retention and Disposal Schedules are submitted to the agency, the Records and Forms Management Division, the Auditor General, the Attorney General, the Michigan Historical Center, and the State Administrative Board for their respective approvals. Approved Retention and Disposal Schedules have the force of law.

The purpose of a Retention and Disposal Schedule is to provide a systematic means of controlling the creation, storage and disposal of records. It is based upon thousands of Federal Statutes and regulations, plus state and local requirements and the agency's fiscal and administrative needs. Adherence to a Retention and Disposal Schedule will assist agencies with their compliance with these requirements. Serious problems can and do arise from not having an accurate schedule or by not following the schedule that has been established. Grievances, criminal prosecution, Freedom of Information requests, evidence of payments and endless other daily activities all require records to be available efficiently and promptly.

B. THE INVENTORY PROCESS

When records analysts prepare Retention and Disposal Schedules they conduct inventories of all of the public records used by a particular office, even if the records will never be shipped to the State Records Center for storage. The inventory process will include the surveying of filing cabinet contents, and a discussion about databases or other electronic records used by the office. Agency staff are often asked to describe why particular records are created, and how records are used by the office. Staff may be also asked how data is gathered for input into a database, and then how the data is used after the database is constructed. This information will help the records analyst identify the operational values of the various records. Special inventory forms are used to ensure that adequate information is gathered about each records series.

C. GENERAL RETENTION SCHEDULES

In certain circumstances it is deemed necessary to issue a General Retention Schedule for categories of records that are common to most offices in state government. General Schedules are intended to efficiently promote uniformity of retention periods and consistency in government practices. With the exception of General Schedule #1 for nonrecords, the records described on the General Schedules are 1) deemed necessary for the continued effective operation of state government, 2) constitute an adequate and proper recording of agency activities, 3) protect the legal rights of the government of the State of Michigan and of the people.

All General Schedules must be approved by the Department of the Attorney General, the Office of the Auditor General, the Michigan Historical Center, the Records and Forms Management Division of the Department of Management and Budget, and the State Administrative Board. Approved General Schedules have the force of law. All public records that are not listed on a General Schedule must be inventoried on agency-specific schedules. If a record is listed both on a General Schedule and on an agency-specific schedule, the agency should follow its specific schedule, instead of the General Schedule. According to Michigan law, no public records may be destroyed without the authorization of an approved Retention and Disposal Schedule.

The following is a listing of the General Schedules that have been issued by the State of Michigan. Copies of these schedules may be obtained from the Records and Forms Management Division at (517) 335-9132.

- General Schedule #1--Non-Records (Approved December 15, 1998)
- General Schedule #2--Accounting Records (Approved January 18, 1983) (*currently being updated*)
- General Schedule #3--Personnel Office Records (Approved October 6, 1981) (*currently being updated*)
- General Schedule #4--Employee Personnel File - Active Employees (Approved March 5, 1996)
- General Schedule #5--Administrative Records (Approved November 3, 1998)

IV. RECORDS MANAGEMENT SERVICES

The Records and Forms Management Division has two types of liaisons who can provide various records management services to agencies. You can call (517) 335-9132 to find out who your liaison is.

A. RECORDS MANAGEMENT OFFICERS (RMO)

Records Management Officers (RMO) are individuals who are appointed by a department director to supervise and coordinate the department's records management program. RMOs serve as liaisons with the Records and Forms Management Division and the State Archives of Michigan. Records Management Officers are responsible for:

- Requesting new records Retention and Disposal Schedules from the Records and Forms Management Division when current schedules become outdated or when an agency's organizational structure changes.
- Maintaining a complete set of Retention and Disposal Schedules for their department.
- Familiarizing staff within their department about the use of Retention and Disposal Schedules, as well as good recordkeeping and filing skills.
- Ensuring that records are transferred out of the office of creation at the scheduled time.
- Providing instructions for preparing records for transmittal to the State Records Center (DMB-501) or to the State Archives of Michigan (MH-85). They also coordinate the shipment of records to the Records Center and the State Archives, and they issue lot numbers for transmittals to the Records Center.
- Providing instructions for requesting that the Records Center return records that need to be referenced by the creating office.
- Planning and assisting in all records management training sessions conducted for individual agencies.
- Receiving, reviewing, obtaining approvals and returning all Records Disposal Notices for each unit within a department.

B. RECORDS ANALYST SERVICES

Records analysts are employed by the Records and Forms Management Division to provide specialized records management services to government agencies. They develop Retention and Disposal Schedules, assist with the design of recordkeeping systems, train state employees, and provide other valuable services. Each of the records analysts are assigned several departments that they assist with all records management activities. Both RMOs and state employees can contact the records analyst who serves as their department's liaison.

V. STORAGE AND DESTRUCTION OF RECORDS

Retention and Disposal Schedules indicate when records should be destroyed, transferred to the State Records Center for temporary storage, or sent to the State Archives of Michigan for permanent preservation. Specific procedures have been developed for all of these activities and they are published in the *DMB Administrative Manual to State Government*.

A. TRANSFERRING RECORDS TO THE STATE RECORDS CENTER

The State Records Center provides for the temporary storage of inactive state government records. Records stored at the State Records Center remain under the exclusive control of the creating agency, and may only be accessed by individuals with authorization for the agency. The State Records Center has fire and security protection for all records in its custody. The State Records Center is located at 3405 N. Martin Luther King Blvd. in Lansing, approximately three miles North of downtown. See Procedure 0910.03 for instructions about shipping records to the State Records Center.

B. ACCESSING RECORDS STORED AT THE STATE RECORDS CENTER

Records stored in the State Records Center may be accessed by the creating agency in many ways. State employees may visit the State Records Center to access the records they need to use, or the State Records Center will ship records back to the creating agency (usually within one day) via interdepartmental mail. Requests for the retrieval of records stored at the State Records Center may be submitted by fax, interdepartmental mail, e-mail, telephone and by using a form on the Records Center's web page. See Procedure 0910.04 for instructions about accessing records stored at the State Records Center.

C. RECORDS CENTER DISPOSAL PROCESS

In accordance with Retention and Disposal Schedules, on a regular basis the State Records Center identifies records in its holdings that may be destroyed because they no longer have value to the State. In addition, some of the records stored at the Records Center are eventually transferred to the State Archives. As this occurs, Records Disposal Notices are prepared, and are sent to the creating agency for approval before any record destruction or transfer to the State Archives takes place. See Procedure 0910.05 for instructions about handling Records Disposal Notices.

D. DESTRUCTION OF RECORDS BY AGENCIES

In some instances, public records complete their entire retention period in the office of creation. In accordance with the Retention and Disposal Schedule, agencies may destroy these records. See Procedure 0910.05 for instructions about destroying public records.

VI. STATE ARCHIVES OF MICHIGAN

A. INTRODUCTION

In 1913 the Michigan State Legislature passed Public Act 271 creating the Michigan Historical Commission and giving the commission the authority “to collect, arrange and preserve historical material.” This legislation was the beginning of the State Archives of Michigan, now part of the Michigan Historical Center in the Department of History, Arts and Libraries, as an entity devoted primarily to preserving governmental records. The State Archives of Michigan continues to identify and acquire state and local government records that must be preserved permanently. The State Archives makes the records in its holdings available to the public for research and reference, unless access to the records is restricted by law.

Less than 5% of the public records created by Michigan’s government have a value that warrants their permanent preservation. However, every government agency has the potential to produce records that must be preserved permanently. These records are identified on Retention and Disposal Schedules for permanent retention.

The State Archives of Michigan selects certain public records for permanent preservation for a variety of reasons. For example, records like minutes, policies, legislative files, and project reports may document how government operates and how the role government has evolved over time. Records like birth certificates, naturalization records, military records, election records and land records may be preserved because they protect the rights of Michigan’s citizens. Whereas records like censuses, cancer registries, maps, photographs, and urban/rural surveys document various aspects of Michigan’s population. All of these records, and many more, are unique valuable sources of information that need to be kept safe for future generations of Michiganians.

Questions about transferring records to the State Archives or accessing records stored at the State Archives may be addressed to the State Archives’ liaison with the Executive Branch, the State Records Archivist:

State Records Archivist
State Archives of Michigan
Michigan Historical Center
Department of History, Arts and Libraries
717 West Allegan
Lansing, Michigan 48909-8240
(517) 373-1408
(517) 241-1658 (fax)
<http://www.sos.state.mi.us/history/archive/state.html>

B. TRANSFERRING RECORDS TO THE STATE ARCHIVES OF MICHIGAN

The State Archives of Michigan is responsible for the permanent preservation of public records that document significant government activities. Records that are transferred to the State Archives are protected from tampering, theft, fire and environmental damage. All records transferred to the State Archives are carefully preserved so they will remain available to future generations.

Occasionally, records are erroneously transferred to the State Archives. In accordance with Michigan law, the State Archives of Michigan only destroys these records with authorization from an approved Retention and Disposal Schedule.

Records arrive at the State Archives in one of two ways. Some records are sent to the State Records Center for temporary storage before they are transferred to the State Archives. In these situations, agencies follow the procedures for transferring records to the State Records Center, and the Records Center automatically ships the records to the State Archives at the appropriate time.

Other records are transferred by agencies directly to the State Archives, and therefore never spend time in the State Records Center. See Procedure 0920.02 for instructions about shipping records directly to the State Archives.

If agencies find records in their offices that are not scheduled, but they believe have historical value, they should contact the State Archives at (517) 373-1408.

C. ACCESSING RECORDS PRESERVED BY THE STATE ARCHIVES OF MICHIGAN

The State Archives organizes, describes and indexes all of the records in its custody to help researchers find the information they need. All records at the State Archives are open to state employees and the public for research, unless a law requires that the record be kept confidential. State employees are encouraged to contact and visit the State Archives to use the records from their agency or other government agencies. Reference archivists can help determine which records will be of use to researchers and can answer many questions by phone, fax, interdepartmental mail, e-mail or on-site visit. State employees who know the Records Center Lot Number, the State Archives Accession Number or the Barcode Number that was assigned to the records when they were shipped out of the office will be able to find the records they are seeking much faster than those who do not.

The State Archives carefully protects the records in its custody because they are unique and valuable. As a result, all researchers are required to complete a registration form when they visit, and the storage areas are closed. All records are brought into a monitored reading room for use by researchers, and may not be removed from the State Archives facility. Therefore, they will not be returned or loaned to an agency. Agency records in the custody of the State Archives are preserved in storage rooms that have state-of-the-art security (theft and fire) and environmental protection (temperature and humidity). Materials can be photocopied at no charge to state agencies. However, there is a fee for photographic reproductions.

The State Archives is located in the Michigan Library and Historical Center at 717 West Allegan, west of the State Capitol in downtown Lansing. The reading room is open to the public Monday through Friday from 10:00 a.m. to 4:00 p.m. (except state holidays). Advance appointments are not required, but they may make research visits more worthwhile. Additional information about the records that are preserved at the State Archives, and the research services that are available, can be obtained from the State Archives' web site at: <http://www.sos.state.mi.us/history/archive/>